

4/9/07
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BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

November 13, 2006

**Acton Memorial Library
7:00 P.M.**

Present: Chairman Foster, Andrew Magee, Lauren Rosenzweig, Peter Ashton, Dore' Hunter. The Town Manager and Assistant Town Manager were present. The meeting was televised.

CITIZENS' CONCERNS

Robert Lessard, 9 Wampus Ave. Dog problems at NARA Park - Mr. Lessard wanted the status of dogs at NARA Park as follow-up to his meeting with the Board during the summer. Walter said that both sides expressed concern. Staff will prepare a report and it will be discussed on an upcoming Agenda.

SEWER COMMISSIONERS' BUSINESS

None

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE – Don reported on the recent election. 8,000 voters voted it was this was a typical turnout for a State Wide Election. With the change of polling locations they learned many things during this election. It was noted that the Election came off pretty well. We received pro and con for the one voting location. Walter wanted this revisited at the next Board meeting. The Board and staff received comments about traffic concerns from the voters.

SITE DEVELOPMENT PLAN, #09/15/06-410, 2 SCHOOL STREET, BLUE BIRD REALTY TRUST (ASHTON)

Glenn Berger explained the history of the building. He has owned it since 1980. He has an art gallery and other uses currently using the space in the Exchange Hall. Now that he can tie into the Town sewer he wants to restore the building. Because of the parking difficulty they will remove the house at 127 Main Street. It is two projects, creating a restaurant out of first two floors; he will move his business to the house and retain the top floor as an apartment in the house. The third floor of the Exchange Hall will be a function room. It is on the National Register of Historic Buildings. Wayne from Waterman Designs, their Landscaping Architect represented Mr. Berger. The site is in the South Acton District. The site pitches upward from School and Main Street at the entrance to the site. The drainage patterns flow down to Main and School Street. They investigated four sub-water sheds during their review. He noted some trees will need to be removed due to condition and will try to save the Hickory tree. They propose to remove the house at 127 Main Street. They will want to connect to the Town Sewer and discontinue the private system. Overhead wires will be put underground. Traffic circulation was reviewed and they created a loop for a motorist to come in and allow them to loop out back to the street. Wayne discussed the use of parking areas and the overflow will be handled at the commuter lot after 6:00 p.m. Mr. Berger wanted to make a nice café area outside with ornamental fence and landscaping. The HDC felt it was too vegetated, Mr. Berger noted that the vegetation has been removed. They will have stairs to a gathering area on the west side of

the Hall. They propose a valet service and to keep the 48 inch Hickory and some specimen trees as well as ornamental shrubs and evergreens. Lighting on the site will meet the Town's requirements with a traditional fixture.

Brian, the traffic consultant said he counted cars in January for peak hour. He noted they counted 1620 on a Friday last January. They adjusted the traffic trips out to the future. They noted that they reviewed the number of trips for the peak hour. Brian discussed the coordination of the traffic lights.

Brian reviewed the parking at the commuter lot and there will be at least 90 spaces available after 6:00 p.m. Planning said that they should have used a quality restaurant for their calculations. They are comfortable with the higher numbers for a fast food restaurant.

Peter noted that the TAC was not provided with the traffic study and they need to get it reviewed by TAC. We will need to continue the meeting until the review can be made. Peter asked that the revised traffic study be provided to the Board and TAC. The numbers of parking on site went from 51 spaces to 19. Peter also noted that the Main Street entrance has been reconfigured as an entrance and exit. Peter said that there will be a significant issue at that location in its current design. Peter wanted to talk about parking with 23 on site and 25 across the street. He questioned several spaces that look like drop offs that are identified as parking spaces. He is more concerned that it is a plan that meets the requirements and his concern is that it meets it, but is it operational, will the parking be adequate and work, especially on a Friday night.

The Traffic Consultant said he was depending on the parking at the MBTA Lot and they intend to provide Valet parking at the Commuter Lot.

Glenn said they will provide valet parking or a small bus from the commuter lot to the building. HDC has raised some concerns but they are inclined to go forward with this except for the concrete wall and reuse and demolition of the cider mill building as a trade off. Peter noted if the house could be preserved it would be nice.

Dore' spoke about traffic concerns. He questioned the trips that valet parking will add to the intersection. He is concerned that as you descend the hill from the south, the traffic goes to the intersection and will block the in and out movement and he feels there will be a conflict there. He agrees that there is plenty of parking in the commuter lot, and noted that they may be in trouble with the peeks at the lot. He wanted to see pedestrian protection crossing from the lot across the street. Dore' noted that this building will take advantage of the town's parking. Dore' noted that they would like to see the building preserved and keep the commuters needs in mind, and to maximize the parking for commuters and building uses. Dore' wanted to see some modeling for "what if's" to make us comfortable. The Board needs to be sure the plan will work.

Walter spoke about the lack of floor plans for three of the four floors. Glenn will provide to the Board. Walter noted that we don't have architectural plans for parking at the office/residence building. Walter wanted to hear from Mr. Berger on several issues such as the request from church for parking. Mr. Berger said the parking will be shared with the church. Walter wanted a new traffic study.

Andy wanted to talk about drainage and traffic hour numbers. He noted it is a tough site. Andy asked about their storm water management plan. Andy asked about the storm water management quality control. Andy also asked about the visual impact at the café site. The Consultant said the fence will be a low wrought iron or decorative fence.

Lauren asked if the plans had been given to Planning. Mr. Berger said that he will provide the missing plans. Lauren asked if the posts could be moved. Anne Forbes noted that she feels they may have already been moved several times. HDC said that there is no reason they can't be moved. Lauren also spoke about the use of materials such as granite.

Chris Tolley, 29 Nylander Way asked about limiting of the restaurant size in the town bylaws. Mr. Tolley spoke about the goals and actions of the South Acton Village Plan. He feels this use is too intense for this site.

Marty Koenig noted a program she saw about the Exchange Hall and its use as a function hall and noted that the building was used for this type of activity. She wants it to be restored for the use it was intended.

Dave DaCosta, agreed that it would be nice to have it restored, but noted the traffic, cooking smells and light pollution.

John Fye, Mill Corner was concerned about the traffic study.

Karen Sonner asked about staff parking.

Christine Hanley felt that they should have a low traffic use at this site to control the parking.

PETER ASHTON – Moved to continue the Hearing to January 8, 2007 at 8:15 P.M .DORE' HUNTER – second. UNANIMOUSE VOTE

**SITE DEVELOPMENT PLAN, #7/11/06-409, 288 MAIN STREET, EDWARD BRAVO
(CONTINUED FROM OCTOBER 30, 2006)**

The petitioner has requested a further continuance to December 11, 2006 at 7:30 p.m. Enclosed please find materials in the subject regard, for Board consideration. DORE' HUNTER – Moved to continue to December 11 at 7:30. PETER ASHTON – second. UNANIMOUS VOTE

**SOUTH ACTON PARKING, TRAFFIC AND PEDESTRIAN ISSUES, MAPLE AND MARTIN
STREETS AREA**

Jill Gregory speaking on behalf of the neighborhood to discuss their concerns. They are concerned with the number of cars parking on Maple Street. They want the parking for the residents only on Maple Street. They did not want their street to become the overflow parking lot for the commuter rail. Marty Koenig was concerned about getting fire trucks etc. in and out.

Claire Siska spoke about commuters parking on their street.

Walter wanted them to participate and to get involved in sidewalk issues.

Walter would like to continue communication with commuters and having some centralized way to contact them.

Don updated the work the staff has been doing with regard to several parking issues.

Bruce Stamski outlined the report written with the Police Chief and Detective Prehl regarding the neighborhood's concerns.

Maple Street parking restrictions were discussed. Staff has some issues with the restrictions because of enforcement problems. The Traffic Rules and Orders would need to be changed.

Bruce also responded to issues brought by the neighborhood in their letter to the Board of Selectmen.

Monitoring by Detective Prehl has shown people pulling in (3-6 vehicles) at 9:00 parking by the Gordon site. Martin Street does not seem to suffer from commuter parking migration at this time.

Staff looked at sidewalks; Stow Street has a low need, staff could not support taking this up before other sites that are ahead of them on the Sidewalk Plan.

Bruce notes it is a regional problem and they will continue to look into changes as the parking normalizes. Dore' wanted to make sure the signage is right and have the police check the area. Dore' felt we should extend the no parking time to 9:30 or 10:00, or have a two hour parking limit.

Peter said that he agreed with staff comment.

Lauren asked if those using Jones Field could be asked when they are purchasing their space if they would be ok with a time of 9:30 am that would allow others to use the space if they are not parked there on a particular day. Lauren noted that we need to keep this discussion going regarding regional transportation. She noted that the towns' need to work together to find solutions.

Christine Hanley spoke about the signage already in place. She did not want commuters parking on her street.

Don was asked to set up the hearings for changing the traffic rules and orders.

SELECTMEN'S BUSINESS

LIGHT POLE BANNERS

Selectman Ashton wishes to discuss the distribution of Pole-Mounted Municipal Banners. Peter was approached by several residents about the signs in the town hall parking lot regarding voting. Peter was concerned that the Town could be using a double standard. Dore' did not agree with Peter. He felt we needed to get the word out to the Voters. Lauren felt it was a circumstance that staff was trying to get the word out. She said that they would have liked to have known before they were put up. She feels we need to explain to the merchants why we have these regulations on signs.

Andy said that it was his understanding that we would be reusing them and did not have a problem with the double standard. He was concerned about the expense of the signs. Andy asked if we would be using them in the future. This was a good cause, but what happens next. Peter felt it was an unusual issue but felt the 10 in the town hall/Library parking lot and 15 at the commuter lot were too much. Peter is concerned about going forward, and will we continue to use them.

Walter asked the Town Manager to bring a policy regarding the type of sign to the Board.

STAKEHOLDERS' MEMORANDUM OF AGREEMENT, W.R. GRACE SITE

Walter spoke about the non-binding nature of the document. Walter would rather get direction from EPA and see if this is a guideline. Walter said if they are not asking us to sign it he doesn't want to sign it. Dore' said that we should acknowledge the receipt. Andy said that we say thank you for the memo and we are not interested we are going to continue to respond in our own way. John said that Counsel felt we needed to have something binding, as they don't have to take our comments.

Lauren said the intent of this is to continue to have dialogue about the issues of water at the Grace site.

John suggested that we turn this into a letter to EPA and cc Water District and Aces. The Board agreed this is a good way to handle this and staff was asked to prepare the letter.

268A DISCLOSURE Planning Board member Greg Niemyski, sitting on the Special Permit for placement of a cell tower. He has rendered that he could act in a manner of a reasonable person at this hearing. Dore' HUNTER – Moved to acknowledge his sitting on the hearing. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

COMMUNITY PRESERVATION ACT, MUNICIPAL PROJECTS

Walter outlined the supported CPC applications.

The Board pulled the 17 Woodbury Lane, 468 Main Street House, and NARA Pavilion.

The Archeological Survey, \$35,000, Bruce Freeman, East Acton Village Green, granite street markers \$5,000, NARA Master Plan Development, Elm Street lights, purchase of the 468 Main Street property, open space request, Faulkner Room Ceiling replacement/Repair.

3 Selectmen supported NARA Master Plan, 3 Selectmen supported the Faulkner Ceiling, 1 Selectmen supported the Elm Street Lighting project, and 4 Selectmen supported the purchase of the 468 Main Street House as affordable housing

BALL FIELD ADVERTISING SIGNS

Walter spoke about the ball field policy for signs. The Board had voted that after three years that we would revisit the policy. Three members of the Recreation Commission voted to retain the present policy. LAUREN ROSENZWEIG – Moved that we continue this policy for three more years and revisit it then. PETER ASHTON - second. Walter felt that we should have control of the revenues coming in. Walter said that the Town should not set a precedent. 4- 1 Walter no. Motion Passed.

OTHER BUSINESS

Peter received a packet from the Long Range Planning for the Memorial Library. Peter had planned to attend and he will not be able to attend. Lauren will attend on behalf of the Board.

Dore' informed the Board that the commuter rail committee of MBCR will be having a meeting and he will attend.

Dore' spoke about the Kingman's offer and feels we should do more to thank them, perhaps some public forum for recognition is appropriate. Putting it in the Town Report, and recognition at Town Meeting. Dore' felt we needed to check with them first and then plan to do something.

Andy reminded folks about the meeting to discuss Waste Water and to get reports from the two committees.

Lauren reported on the MAGIC meeting and noted we have put in our grant application for the shuttle bus

Walter reminded every one that the State of The Town is next week on the 20th.

CONSENT AGENDA

CONDOMINIUM CONVERSION PERMIT, RAILROAD REALTY TRUST, AMERICAN HOUSE CONDOMINIUM, 19 RAILROAD STREET

Andy wanted to hold – he did not see the reference in the condo documents for signature regarding the Boulders. Staff to redraft for signature.

One Day liquor license for Friends of the Arboretum. PETER ASHTON – Moved to approve, DORE' HUNTER – second. UNANIMOS VOTE

TOWN MANAGER'S REPORT

None

EXECUTIVE SESSION

There will be a need for Executive Session. Lauren Rosenzweig Moved to enter into Executive Session to discuss Litigation and real property. Roll Call taken All AYES.

Recording Secty

Clerk, Board of Selectmen

Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA
NOVEMBER 13, 2006

Acton Memorial Library
7:00 PM

I. CITIZENS' CONCERNS

II. SEWER COMMISSIONERS' BUSINESS

III. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 OPERATIONAL MINUTE

The Town Manager will give the Board a brief update on various topics.

2. 7:15 SITE DEVELOPMENT PLAN, #09/15/06-410, 2 SCHOOL STREET, BLUE BIRD REALTY TRUST (ASHTON)

Enclosed please find materials in the subject regard, for Board consideration.

3. 7:30 SITE DEVELOPMENT PLAN, #7/11/06-409, 288 MAIN STREET, EDWARD BRAVO (CONTINUED FROM OCTOBER 30, 2006)

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4. 8:00 SOUTH ACTON PARKING, TRAFFIC AND PEDESTRIAN ISSUES, MAPLE AND MARTIN STREETS AREA

Enclosed please find materials in the subject regard, for Board consideration.

IV. SELECTMEN'S BUSINESS

5. LIGHT POLE BANNERS

Selectman Ashton wishes to discuss the distribution of Pole-Mounted Municipal Banners

6. STAKEHOLDERS' MEMORANDUM OF AGREEMENT, W.R. GRACE SITE

Enclosed please find materials in the subject regard, for Board consideration.

7. 268A DISCLOSURE, PLANNING BOARD MEMBER

Enclosed please find materials in the subject regard, for Board consideration.

8. COMMUNITY PRESERVATION ACT, MUNICIPAL PROJECTS

Enclosed please find materials in the subject regard, for Board consideration.

9. BALL FIELD ADVERTISING SIGNS

Enclosed please find materials in the subject regard, for Board consideration.

10. OTHER BUSINESS

V. CONSENT AGENDA

11. CONDOMINIUM CONVERSION PERMIT, RAILROAD REALTY TRUST, AMERICAN HOUSE CONDOMINIUM, 19 RAILROAD STREET

Enclosed please find materials in the subject regard, for Board consideration.

VI. TOWN MANAGER'S REPORT

VII. EXECUTIVE SESSION

- 12. There will be a need for Executive Session.** Enclosed please find materials in the subject regard, for Board consideration.

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda.

November 27

December 11

GOALS 2006-2007

1. Morrison Farm Development Recommendation (Foster)
2. Monitor Labor Negotiations (Ashton)
3. Policy Review/Improve Inter-Board Communication (Foster)
4. ALG process to be used for purpose of Budget Planning for FY08 (Foster/Magee)
5. Middlesex Pension Alternatives (Ashton)